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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,846	08/30/2006	Hiroichi Koide	OGA016	4744

7590 10/12/2007
Kubovcik & Kubovcik
900 17th Street, N.W.
The Farragut Building, Suite 710
Washington, DC 20006

EXAMINER

HUNTER, ALVIN A

ART UNIT	PAPER NUMBER
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3711

MAIL DATE	DELIVERY MODE
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10/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,846	Applicant(s) KOIDE ET AL.	
	Examiner Alvin A. Hunter	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/1506</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 1023(a) as being unpatentable over DiMarco (USPN 7147573) in view of OFFICIAL NOTICE.

Regarding claim 1, Dimarco discloses a club head having a head wherein the head is provided with a guide that has a bar projecting from the back in a U-shape substantially parallel to the horizontal plane, a weight movable retained along the guide, and a fixation means for fixing the weight in any position. OFFICIAL NOTICE is taken that it is commonly well known to have a shaft having a grip attached to a club head. One having ordinary skill in the art would have found it obvious to have a shaft with grip because it is commonly well known within art.

Regarding claim 2, DiMarco disclose the central weight capable of moving along the guide on the same circumference around a reference point.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Evans (USPN 7166041) in view of OFFICIAL NOTICE.

Regarding claim 1, Evans discloses a club head having a head wherein the head is provided with a guide that has a bar projecting from the back in a U-shape substantially parallel to the horizontal plane, a weight movable retained along the guide,

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and a fixation means for fixing the weight in any position. OFFICIAL NOTICE is taken that it is commonly well known to have a shaft having a grip attached to a club head. One having ordinary skill in the art would have found it obvious to have a shaft with grip because it is commonly well known within art.

Regarding claim 2, Evans discloses the central weight capable of moving along the guide on the same circumference around a reference point.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (USPN 7166041) in view of OFFICIAL NOTICE further in view of Oda (JP 06-238022).

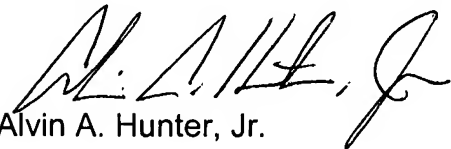
Regarding claim 3, Evans in view of OFFICIAL NOTICE does not disclose the fixation means comprising a female screw hole in the weight and a male screw to engage the female screw hole wherein the head of the male screw has a slot to engage the thickness of a coin. Oda discloses a weight member attached to a guide wherein the fixation means comprising a female screw hole in the weight and a male screw to engage the female screw hole wherein the head of the male screw has a slot to engage the thickness of a coin. One having ordinary skill in the art would have found it obvious to use the fixation means taught by Oda within Evans in view OFFICIAL NOTICE in order to attach the weight member to the guide.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 571-272-4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim, can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alvin A. Hunter, Jr.